



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Holmberg, et al.) Group Art Unit: 2854
Serial No.: 09/751,158) Examiner: Kevin D. Williams
Filed: December 27, 2000)
For: A TAMP PAD)

Attn: Office of Petitions
United States Patent and Trademark Office
Washington, D.C. 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL

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Date of Deposit: April 18, 2003

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Type or Print Name: Cheryl A. Gibson

Signature:

Dear Sir:

DECLARATION OF ROSS T. ROBINSON

I, Ross T. Robinson, do hereby state and declare:

1. I am a registered patent attorney and I am employed by the firm of Jenkens & Gilchrist, P.C. This declaration is submitted in support of a Petition to Withdraw Holding of Abandonment in the above-referenced matter.

2. On or about March 20, 2003, I spoke via telephone with Examiner Kevin Williams of the United States Patent & Trademark Office ("USPTO"). Examiner Williams inquired of me whether the above-referenced patent application ("the application") had been intentionally abandoned and informed me that the USPTO had not received a response to an Office Action mailed on August 14, 2002 ("the Office Action"). I informed Examiner Williams that the application had not been intentionally abandoned and that the Office Action did not appear to have been received by Jenkens & Gilchrist. Subsequent to the telephone conversation of on or about March 20, 2003 between Examiner Williams and me, Examiner Williams sent a courtesy copy of the Office Action to me.

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3. A search of the file jacket and docket record for the application do not indicate that the Office Action was ever received by Applicant's representative. Upon information and belief, the Office Action was never received by Jenkens & Gilchrist, P.C.
4. I have searched the file jacket and docket record for the above-referenced matter. The file jacket and docket record do not indicate that the Office Action was ever received by Jenkens & Gilchrist, P.C. A copy of the docket record for the above-referenced matter is attached hereto as Exhibit A.
5. Had the Office Action been received and docketed, the Office Action would have been entered in Applicant's representative's docket system as having been mailed on August 14, 2002, a response date of November 14, 2002 would have been entered in the docketing system, and one-month, two-month, and three-month extension dates of December 14, 2002, January 14, 2003, and February 14, 2003 would have been entered in the docketing system. No such entries are present for the application. See Exhibit A.
6. As of today's date, I have not received a copy of the Office Action, other than the courtesy copy of the Office Action referenced above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name: Ross T. Robinson
First Name Ross Middle Name/Initial T. Last Name Robinson

Signature: Ross T. Robinson Date: 2003-04-18
First Name Ross Middle Name T. Last Name Robinson Year-Month-Day 2003-04-18

Residence: Dallas TX U.S.A.
City, State, and Country Dallas TX U.S.A.



Docket No. 34650-550USD1
P11204US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Holmberg, et al.
Serial No.: 09/751,158
Filed: December 27, 2000
For: A TAMP PAD

Attention: Office of Petitions
Commissioner for Patents
Washington, D.C. 20231

Examiner: Kevin D. Williams
Group Art Unit: 2854

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Dear Sir:

DECLARATION OF SUSAN J. WILLIAMS

I, Susan J. Williams, do hereby state and declare:

- 1) I am an employee of the law firm of Jenkens & Gilchrist, P.C. and work in the Intellectual Property Department of the firm. I am personally aware of the actions taken with respect to incoming mail from the United States Patent and Trademark Office.
- 2) I receive all mail from the United States Patent and Trademark Office and log that mail when it comes in to Jenkens and Gilchrist, P.C.
- 3) An entry is made in a computerized docketing system upon receipt by Jenkens and Gilchrist, P.C. of any Office Action.
- 4) A hard copy of the docket entries is made for each Office Action.

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- 4) A hard copy of the docket entries is made for each Office Action.
- 5) The file, along with the Office Action, is then forwarded to the responsible attorney or agent for appropriate action to be taken.
- 6) A review of the docket and the file in the above-referenced matter indicates that the Office Action dated August 14, 2002 was never received by me nor was it ever entered into the Jenkens and Gilchrist, P.C. docketing system for action to be taken. As of today's date, other than a courtesy copy of the Office Action faxed to Ross Robinson by Examiner Kevin Williams, the Office Action has not been received.
- 7) A hard copy of the computer docket record for the above-referenced application is attached hereto as Exhibit A. No entries reflecting receipt by Jenkens & Gilchrist, P.C. of the Office Action dated August 14, 2002 are present on the hard copy of the computer docket record for the above-referenced application.

I hereby declare that all statements made herein of my own knowledge are true; that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of this application and any registration resulting therefrom.

Full name:	<u>Susan</u>	<u>J</u>	<u>William S</u>
	First Name	Middle Name/Initial	Last Name
Signature:	<u>Susan J. William</u>	Date: <u>03 - 04 - 17</u>	
	First Name	Middle Name	Last Name
Residence:	<u>Dallas, TX USA</u>		
	City, State, and Country		